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December 7, 2011

**Via ECF**

Chief Magistrate Steven M. Gold  
United States District Court  
Eastern District of New York  
225 Cadman Plaza, East  
Brooklyn, NY 11201

Re: Rodriguez v. the City of New York  
P.A. Jr. v City of New York  
10 CV 4661

Dear Magistrate Gold:

In compliance with Your Honor's order, we have sent letters via overnight mail to the following non-parties advising them of the hearing on December 14, 2011.

1. Jennifer Yarbrough
2. Duane Yarbrough
3. Judith Colon
4. Duane Yarbrough Jr.
5. Melanie Yarbrough
6. Crystal Colon
7. William Colon
8. Debra Ortiz

9. Melissa Ortiz
10. Thomas Cintron
11. Brenda Rodriguez
12. Blanca Toledo
13. Mr. Toledo
14. Kim Yarbrough
15. Rosemarie Yarbrough
16. Jerry Gardener
17. Librada Moran
18. Ysmenia Moran
19. Shareema Bruington
20. Noria Alford
21. Elijah Alford
22. Elizabeth Pierre

For the non-parties whose addresses we could not locate, I have asked all counsel if they are aware of addresses, since many of these persons are relatives and/or friends of the plaintiffs:

Jorge (no last name) – former foster child of foster mother Moran

Claudia Ortiz - relative Of Jennifer Rodriguez

Geanna Ortiz - relative Of Jennifer Rodriguez

Tara Martinez/Rivera – relative of Jennifer Rodriguez

Dwayne Alston – boyfriend of Jennifer Rodriguez

William/Mary Novak – relative of Jennifer Rodriguez

Maralyn Bruington - mother of Patrick Alford's girlfriend

Suden Mack – mother of Patrick Alford

Derrick (no last name) – boyfriend of Melissa Ortiz

Suzie (no last name) – Derrick's mother

Desmin Ortiz – brother of Jennifer Rodriguez

Daniel Ortiz – brother of Jennifer Rodriguez

I also wanted to clarify some confusion about the privacy concerns that we have raised regarding the release of medical, criminal or other confidential information regarding these non-parties without prior notice to them. While the provisions of the Social Services Law may be implicated

for some of the information contained within the ACS files, the privacy rights afforded to these non-parties arises from multiple state and federal laws. I apologize that there may have been confusion as to the basis for our concerns about disclosure of this personal information of non-party infants and adults.

Thank you.

Respectfully submitted,  
BARRY, MCTIERNAN & MOORE

By: Suzanne M. Halbardier  
Suzanne M. Halbardier

SMH:lm  
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cc: Via ECF  
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